

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Kenneth L. Ketter
Debtor(s)

Bankruptcy Case No.: 17-24921-GLT
Issued Per 2/5/2018 Proceeding
Chapter: 13
Docket No.: 28 - 15
Concil. Conf.: June 14, 2018 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 2, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jun. 14, 2018 at 09:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 6 of PNC Bank NA .
- ☒ H. Additional Terms: Claim No. 7 of US Bank NA as to amount as paid at terms in the plan.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: February 12, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Kenneth L. Ketter
 Debtor

Case No. 17-24921-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 2
 Total Noticed: 27

Date Rcvd: Feb 12, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 14, 2018.

db +Kenneth L. Ketter, 114 Bowman Street Ext., Cuddy, PA 15031-9705
 cr +County of Allegheny, Goehring, Rutter, and Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
 cr +South Fayette School District, Goehring, Rutter & Boehm, 437 Grant Street, Frick Building,
 Pittsburgh, PA 15219, UNITED STATES 15219-6002
 cr +Township of South Fayette, Goehring, Rutter & Boehm, 437 Grant Street, Frick Building,
 Pittsburgh, PA 15219, UNITED STATES 15219-6002
 14740623 +Allegheny County Treasurer, Room 108 Courthouse, 436 Grant Street,
 Pittsburgh, PA 15219-2497
 14740624 Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
 14740625 +Citibank, P. O. Box 6062, Sioux Falls, SD 57117-6062
 14771414 +County of Allegheny, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14740626 +John Ketter, 240 Lakeview Ct., Washington, PA 15301-8952
 14740631 +Mariner Finance Company, 1155 Washington Pike, Suite 60, Bridgeville, PA 15017-2827
 14740633 +PNC Bank, 2730 Liberty Avenue, Pittsburgh, PA 15222-4747
 14764184 +PNC Bank, N.A., 3232 Newmark Drive, Miamisburg, OH 45342-5421
 14740635 Sandra Snyder, Esq., Fox & Fox Attorneys, 706 One Montgomery Plaza, Norristown, PA 19401
 14771413 +South Fayette School District, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14740636 +South Fayette School District, c/o Anne Beck, Tax Collector, PO Box 172,
 Presto, PA 15142-0172
 14740637 South Fayette Township, c/o Anne Beck, Tax Collector, PO Box 172, Presto, PA 15142-0172
 14771415 +Township of South Fayette, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14766411 ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
 (address filed with court: U.S. Bank National Association, Bankruptcy Department,
 PO Box 5229, Cincinnati, Ohio 45201-5229)

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14740627 +E-mail/Text: bk@lendingclub.com Feb 13 2018 01:52:12 Lending Club,
 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
 14740629 E-mail/PDF: gecsed@recoverycorp.com Feb 13 2018 01:44:55 Levin Furniture/Synchrony Bank,
 PO Box 960061, Orlando, FL 32896-0061
 14740630 E-mail/PDF: gecsed@recoverycorp.com Feb 13 2018 01:44:26 Lowe's, c/o Synchrony Bank,
 PO Box 965003, Orlando, FL 32896-5003
 14763871 E-mail/PDF: cbp@onemainfinancial.com Feb 13 2018 01:44:26 ONEMAIN, PO BOX 3251,
 EVANSVILLE, IN. 47731-3251
 14740632 E-mail/PDF: cbp@onemainfinancial.com Feb 13 2018 01:43:59 One Main Financial,
 P.O. Box 183172, Columbus, OH 43218-3172
 14741498 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 13 2018 02:16:38
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14753657 E-mail/Text: bnc-quantum@quantum3group.com Feb 13 2018 01:51:31
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 14740634 +E-mail/Text: egssupportservices@alorica.com Feb 13 2018 01:52:01
 Sam's Club & Synchrony Bank, c/o EGS Financial Care Inc., 4740 Baxter Road,
 Virginia Beach, VA 23462-4484
 14740639 E-mail/PDF: gecsed@recoverycorp.com Feb 13 2018 01:44:55 Value City Furniture,
 c/o Synchrony Bank, PO Box 965035, Orlando, FL 32896-5035

TOTAL: 9

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr PNC BANK, NATIONAL ASSOCIATION
 cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14740628* +Lending Club, 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
 14740638* ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
 (address filed with court: US Bank, PO Box 790179, Saint Louis, MO 63179-0179)

TOTALS: 1, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0315-2

User: dbas
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***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 14, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 12, 2018 at the address(es) listed below:

James Warmbrodt on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Township of South Fayette jhunt@grblaw.com,
cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor South Fayette School District jhunt@grblaw.com,
cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor County of Allegheny jhunt@grblaw.com,
cnoroski@grblaw.com
Kenneth Steidl on behalf of Debtor Kenneth L. Ketter julie.steidl@steidl-steinberg.com,
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;leslie.
nebel@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-
inberg.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7